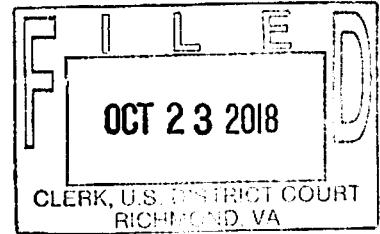


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



GOLDEN BETHUNE-HILL,
et al.,

Plaintiffs,

v.

Civil Action No. 3:14cv852

VIRGINIA STATE BOARD
OF ELECTIONS, et al.,

Defendants.

ORDER

Having conferred with the Special Master about his appointment and about the schedule set out in the ORDER (ECF No. 278) entered on October 19, 2018, and finding it appropriate so to do, it is hereby ORDERED that:

- (1) The hearing set for January 3, 2019 (ECF No. 278, ¶(5)) is rescheduled to 9:30 a.m. January 10, 2019; and
- (2) Given the number of districts involved, the Special Master is authorized to employ the services of Jonathan Cervas, Dr. Grofman's assistant at the University of California-Irvine, at the rate of \$75.00 per hour; and
- (3) The Special Master's Report and Recommendation shall contain:

- (a) a color map showing the proposed remedial plans;
- (b) Shapefiles and Block Equivalency Files compatable with Mapitude For Redistricting sofeware for the proposed remedial plan; and
- (c) analysis explaining the basis for the proposed remedial plan and the recommendations of that plan over any of the other proposals previously submitted by parties and non-parties;

(4) Upon request from the Special Master, the parties shall promptly make available to the Special Master electronic copies of the trial exhibits and trial transcript. Such a request shall be communicated by way of an email message addressed to counsel of record for plaintiffs, the Commonwealth of Virginia, and the Intervenor-Defendants; and

(5) The Virginia Division of Legislative Services ("DLS") shall promptly respond to the best of its ability to any reasonable request by the Special Master for supporting data or information reasonably necessary to carry out his assignment; and

(6) The Special Master shall file his Report electronically on the Court's CM/ECF system. The Shapefiles and Block Equivalency Files shall be delivered electronically to the

parties via FTP, Dropbox, or an equivalent method ensuring timely delivery. The DLS shall promptly post the Special Master's Report and supporting electronic files to its redistricting website (<http://redistricting.dls.virginia.gov/>); and

(7) Parties and non-parties may not engage in any *ex parte* communication with the Special Master regarding the subject matter of this litigation. The Special Master may communicate *ex parte* with the Court, provided that he promptly advises the parties that the communication has occurred and discloses any material guidance that he has received;

(8) The Special Master will be compensated in the amount of \$400.00 per hour for his time and will be reimbursed for reasonable expenses. He is also authorized to employ assistants (and to apply to the Court for approval of their reasonable compensation) as necessary to carry out his duties under this appointment. The Special Master shall submit any motion for reimbursement of fees and expenses through the Court's CM/ECF system. Upon the disposition of the motion by the Court, and in accordance with ORDER (ECF No. 276), the Commonwealth of Virginia shall be responsible to pay the fees of the Special Master except as the Court may otherwise direct; and

(9) The parties may seek to modify this ORDER for good cause shown.

The Clerk is directed to send a copy of this Order to the Special Master.

It is SO ORDERED.

/s/

REP

For the Court
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: October 23, 2018